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## DIGEST

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Templet

HB No. 651

**Abstract:** Provides for the continuous revision of the Children's Code relative to adoption and voluntary transfer of custody.

Present law (Ch.C. Art. 1122(B)(8), (F)(12), and (G)(12)) provides for the contents of the Act of Surrender.

Proposed law retains present law and clarifies that voluntary registration requires both the adopting person and surrendering parent to register and comply with registration requirements.

Present law (Ch.C. Art. 1125(B)) provides for the contents of the Statement of Family History form.

Proposed law retains present law and adds common disease names to the medical terms, and adds a section for prenatal history drug use.

Present law (Ch C. Art. 1189(3)) provides the grounds for disclosure of information in confidential adoption records.

Proposed law retains present law and adds that descendants of deceased biological parents and adopted deceased persons are eligible to use the voluntary registry.

Present law (Ch.C. Art. 1270, 1271 and 1272) provides the legislative findings for creating the voluntary registry and provides guidelines for who may register.

Proposed law retains present law and modernizes terminology by changing "birth" to "biological", adds a legislative finding regarding the death of a person authorized to use the registry, and adds descendents of deceased biological parents and adopted persons to those eligible to use the registry.

Present law (Ch.C. Art. 1273) provides that documents filed with the office of human development shall be confidential.

Proposed law changes present law to the office of community services.

Present law (Ch.C. Art. 1276) provides for the death of birth parents and adopted persons registered with the voluntary registry.

Proposed law retains present law and provides that once the death of a biological parent or adopted person is disclosed, a registered person shall be given the option of availing himself of any contact opportunity through the registry.

Present law (Ch.C. Art.1515) provides for the content and form of the petition for voluntary transfer of custody.

Proposed law retains present law and requires DSS to indicate whether it has recommended filing the petition and if so requires the name of person making the recommendation and the reasons therefor and whether petitioners have consulted with an attorney.

Present law (Ch.C. Art. 1517) provides for service of notice of the proceedings to any parent or legal custodian who has not joined in the petition for voluntary transfer of custody.

Proposed law retains present law and requires that parents be advised of the right to an attorney under certain conditions and if DSS has recommended the transfer DSS receives notice and the court may order DSS to report on the safety and well being of the child.

Present law (Ch.C. Art. 1518) provides for pretrial order and the parent's contribution to costs.

Proposed law moves present law to Art. 1520(C) and adds that counsel may be appointed for an indigent parent when DSS has recommended filing of the petition.

Present law (Ch.C. Art. 1519) provides that the hearing shall be on the record.

Proposed law retains present law and adds the requirement that when DSS has recommended filing the petition a DSS representative must testify on the reasons for recommending the petition be filed and other matters.

Present law (Ch.C. Art. 1520) provides for what the judgment shall recite if the court grants transfer of custody.

Proposed law retains present law and adds that the court may order the parent to contribute to the costs.

Present law (Ch.C. Art. 1522) provides that parties may jointly notify the court of their desire to dismiss the proceedings and return custody to the parents. Upon notification the court shall order an ex parte dismissal.

Proposed law retains present law and authorizes the court to also order a review of the proposed modification.

(Amends Ch.C. Arts. 1122(B)(8), (F)(12), (G)(12), 1125(B), 1189(3), 1270, 1271(A) and (B), 1272, 1273, 1276, 1515(B)(VI), 1517(A), 1518(B), 1519, 1520(B)(intro. para.) and (C), and 1522(B); Adds 1515(A)(7) and 1517(E))

